

10/573241

IAP9 Rec'd PCT/PTO 23 MAR 2006

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below

Express Mail Label No. EV 690629796 USDate: March 23, 2006By: Jennifer Archer
Jennifer Archer

Attorney Docket No. 101769-347 KGB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Bernhard MÜSSIG et al.
 SERIAL NO. : To Be Assigned [This is a 371 of PCT/EP2004/052208]
 CUSTOMER NO. : 27384
 FILED : Herewith
 FOR : AGE-RESISTANT SOFT POLYOLEFIN WRAPPING FOIL
 ART UNIT : To Be Assigned
 EXAMINER : To Be Assigned

Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO/SB/08.

1) Timeliness, Fees and Certifications in lieu of Fees

☒ A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR §

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 Information Disclosure Statement

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1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

☐ B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance. Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):

☐ 1. The Assistant Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 14-1263.

☐ 2. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ 3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

☐ C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set forth in 37 CFR § 1.17(i), and which the Assistant Commissioner is hereby authorized to charge to Deposit Account No. 14-1263. Consideration of this information disclosure statement also requires a statement under 37 CFR § 1.97(e):

☐ 1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ 2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

II. Copies of Listed References

☒ A. Copies of all references listed on the attached Form PTO/SB/08 are being supplied. Copies of U.S. patents are not included pursuant to Pre-OG Notice dated July 11, 2003.

☐ B. Copies of all references listed on the attached Form PTO/SB/08 have already been supplied during the prosecution of prior application Serial No. ____, filed ____, from which the present application claims priority pursuant to 35 USC § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the attached Form PTO/SB/08 are not now being supplied.

☐ C. This application is a PCT national stage application, all references listed on the attached Form PTO/SB/08 were cited in the international search report, and PCT/DO/EO/903 indicates that both the international search report and the copies of the references listed on the attached Form PTO/SB/08 are in this national stage file. Therefore, copies of the references listed on the attached Form PTO/SB/08 are not now being supplied.

III. Concise Statement of Relevance

☐ A. All references listed on the attached Form PTO/SB/08 are in the English language, and, therefore, a concise statement of relevance is not required.

☒ B. All references listed on the attached Form PTO/SB/08 are referred to in the specification and/or were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.

The Examiner will note that English language counterparts or Abstracts of non-English language references are also enclosed, as follows:

WO 99/61541 – Corresponds to US 6,444,309
DE 44 42 091 A1 – Corresponds to US 5,629,078. Abstract provided.
DE 44 42 093 A1 – Abstract provided.
DE 44 42 507 A1 – Abstract provided.
DE 94 01 037.4 – Abstract not available
DE 100 02 180 A1 – Abstract provided.
DE 195 23 494 A1 – Abstract provided.
DE 199 10 730 A1 – Abstract provided.
DE 199 23 399 A1 – Corresponds to US 6,451,146. Abstract provided.
DE 200 22 272 U1 – Abstract not available.
DE 203 06 801 U1 – Abstract not available.
EP 0 886 357 A2 – Abstract provided.
JP 05-017727 – Abstract provided.
JP 05-250947 – Abstract provided.
JP 07-150126 – Abstract provided.
JP 09-208906 – Abstract provided.
JP 10-001583 – Abstract provided.
JP 10-149725 – Abstract provided.
JP 2000-198895 – Abstract provided.
JP 2000-200515 – Abstract provided.

☐ C. All references listed on the attached Form PTO/SB/08 were cited in the search report issued by the _____ Patent Office, and an English-language version of that search report, which indicates the degree of relevance found by that Patent Office, is attached.

☐ D. This application is a PCT national stage application, all references listed on the attached Form PTO/SB/08 were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.

☐ E. All listed on the attached Form PTO 1449 were cited during the prosecution of the prior application indicated above under II.B.

IV. Additional Information

☐ A. In addition to the references listed on the attached Form PTO/SB/08, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

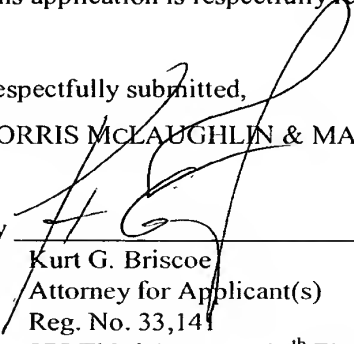
[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]

☐ B. In addition of the references listed on the attached Form PTO/SB/08, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,
NORRIS MCLAUGHLIN & MARCUS, P.A.

By


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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT'S (Form PTO/SB/08)		Application Number	To Be Assigned
		Filing Date:	Herewith
		First Named Inventor	Bernhard MÜSSIG et al
		Art Unit	To Be Assigned
		Examiner Name:	To Be Assigned
Sheet 1	of 3	Attorney Docket Number:	101769-347 KGB

U.S. PATENT DOCUMENTS

Examiner's Initials*	Cite No. ¹	Document Number Number-Kind Code ²	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A	US - 4,451,533	May 29, 1984	Wong et al.	
	B	US - 4,992,331	Feb. 12, 1991	DeCoste, Jr.	
	C	US - 5,498,476	Mar. 12, 1996	Tucker et al.	

FOREIGN PATENT DOCUMENTS

Examiner's Initials*	Cite No.	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵	Publication Date MM-DD-YYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	D	EP 0 370 424 A2	May. 30, 1990	Fuji Photo Film Co., Ltd.		✓
	E	WO 99/29794	Jun. 17, 1999	Minnesota Mining and Manufacturing Co.		✓
	F	WO 99/61541 Corresponds to US 6,444,309	Dec. 2, 1999	Silontec Corporation		✓
	G	DE 44 42 092 A1 Corresponds to US 5,629,078	May. 30, 1996	Beiersdorf AG		✓
	H	DE 44 42 093 A1	May 30, 1996	Beiersdorf AG		✓
	I	E 44 42 507 A1	Jun. 5, 1996	Beiersdorf AG		✓
	J	DE 94 01 037.4 U1	Mar. 10, 1994	Corpolastr Fritz Mueller KG		N/A
	K	DE 100 02 180 A1	Jul. 26, 2001	Mitsubishi Polyester Film GmbH		✓
	L	DE 195 23 494 A1	Jan. 2, 1997	Beiersdorf AG		✓
	M	DE 199 10 730 A1	Oct. 14, 1999	Certoplast Vorwerk & Sohn GmbH		✓
	N	DE 199 23 399 A1 Corresponds to US 6,451,146	Apr. 27, 2000	Beiersdorf AG		✓
	O	DE 200 22 272 U1	Sept. 20, 2001	Beiersdorf AG		N/A

EXAMINER SIGNATURE: /Samir Shah/	DATE CONSIDERED: 01/12/2010
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²see Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.197 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /S.S./

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		Examiner Name:	To Be Assigned
Sheet 2	of 3	Attorney Docket Number:	101769-347 KGB

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Examiner's Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ¹ -Number ¹ -Kind Code ²				
	P	DE 20306 801 U1	Jul, 17, 2003	Certoplast Vorwerk & Sohn GmbH		N/A
	Q	EP 0 886 357 A2	Dec. 23, 1998	Mohr Karl Eugen		✓
	R	EP 0 953 599 A1	Nov. 3, 1999	Kyowa Chemical Industry Co., Ltd.		✓
	S	EP 1 000 992 A1	May 17, 2000	Silontec Corporation		✓
	T	EP 1 097 976 A2	May 9, 2001	Nitto Denko Corporation		✓
	U	EP 1 123 958 A2	Aug. 16, 2001	Certoplast Vorwerk & Sohn GmbH		N/A
	V	JP 05-17727	Jan. 26, 1993	Toppan Printing Co. Ltd.		✓
	W	JP 05-250947	Sept. 28, 1993	Yazaki Corp.		✓
	X	JP 07-150126	Jun. 13, 1995	Nitto Denko Corp.		✓
	Y	JP 09/208906	Aug. 12, 1997	Sekisui Chem Co. Ltd.		✓
	Z	JP 10-001583	Jan. 6, 1998	Tatsuta Electric Wire & Cable Co. Ltd		✓
	AA	JP 10-149725	Jun. 2, 1998	Sekisu Chem Co. Ltd.		✓
	AB	JP 2000-198895	Jul. 18, 2000	Toyo Chem Co. Ltd.		✓
	AC	JP 2000-200515	Jul. 18, 2000	Toyo Chem Co. Ltd.		✓
	AD	WO 00/71634 A1	Nov. 30, 2000	Tyco International US		✓
	AE	WO 03/070848 A1	Aug. 28, 2003	Yazaki Corporation		✓
	AF	WO 97/05206	Feb. 13, 19997	Scapa Group PLC		✓
	AG	WO 99/35202	Jul. 15, 1999	Minnesota Mining and Manufacturing Company		✓
	AH	WO 99/61541	Dec. 2, 1999	Slionet Corporation		✓

EXAMINER SIGNATURE: /Samir Shah/	DATE CONSIDERED: 01/12/2010
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		Examiner Name:	To Be Assigned
Sheet 3	of 3	Attorney Docket Number:	101769-347 KGB
NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AI	BARENDRECHT, et al.; Ullmann's Encyclopedia; pages 525-555 – German language only.	
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EXAMINER SIGNATURE:		/Samir Shah/	DATE CONSIDERED: 01/12/2010
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.</p> <p>The collection of information is required by 37 CFR 1.197 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.</p>			

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